

<u>SUBJECT</u>		<u>DATE</u>
1056. PCB Reporting and Recordkeeping Relief	ENCORE	JAN 12, 2014
1057. Commercial Chemical Products and Unused Batteries	ENCORE	JAN 16, 2014
1058. PCB Annual Records Retention Timeframes		JAN 31, 2014
1059. Satellite Accumulation within a ≤90-day Accumulation Area		FEB 7, 2014
1060. PCB Certificate of Disposal Relief	ENCORE	FEB 13, 2014
1061. Used Oil and Weekly Inspections		FEB 20, 2014
1062. Bags and RCRA Container Definition		FEB 27, 2014
1063. Product Storage Tank Residues and Hazardous Waste Regulations	ENCORE	MAR 6, 2014
1064. Spent Lead-Acid Batteries and Accumulation Time Limits		MAR 13, 2014
1065. Land Disposal Restrictions and Dates of Accumulation		MAR 23, 2014
1066. Universal Waste Accumulation Time Limits and the One Year Rule		MAR 29, 2014
1067. PCB Manifest Discrepancy Reports and Estimated Waste Weights		APR 6, 2014
1068. PCB Wastes, Independent Transporters and Confirmation of Receipt		APR 10, 2014
1069. Paint Wastes and The Applicability of the F001-F005 Listings to Ingredients	ENCORE	APR 20, 2014
1070. Other Paint Wastes and the Applicability of the F001-F005 Listings	ENCORE	APR 24, 2014
1071. Multiple Characteristic Hazardous Waste Codes and Underlying Hazardous Constituents		MAY 1, 2014
1072. TSCA "No PCBs" versus "Non-PCBs" versus "Nondetectable PCBs"	ENCORE	MAY 8, 2014
1073. Purpose of Keeping a Hazardous Waste Container Closed	ENCORE	MAY 15, 2014
1074. PCB Containers and Multiple Removed From Service Dates		MAY 22, 2014
1075. Satellite Accumulation and RCRA Personnel Training		MAY 29, 2014
1076. Transporter Signatures on Hazardous Waste Manifest and Multiple Drivers		JUN 5, 2014
1077. Universal Waste and Nonhazardous Batteries		JUN 12, 2014
1078. Universal Waste and Incandescent Bulbs		JUN 19, 2014
1079. The PCB Mark and the Fields "Also Contact" and "Tel No"	ENCORE	JUN 29, 2014
1080. Halon Fire Extinguishers - Banned or Not Banned?	ENCORE	JUL 5, 2014
1081. Cabinets as RCRA Containers	ENCORE	JUL 13, 2014
1082. LDR Storage Prohibitions and Treated Wastes	ENCORE	JUL 17, 2014
1083. LDR Treatment Standards and F001 "Chlorinated Fluorocarbons"	ENCORE	JUL 24, 2014
1084. RCRA Regulatory Status of Chlorinated Fluorocarbons Used as Refrigerants	ENCORE	JUL 31, 2014
1085. Universal Wastes, Manifesting and DOT Shipping Names		AUG 7, 2014
1086. CERCLA Hazardous Substances – A Brief Definition		AUG 14, 2014
1087. CERCLA Hazardous Substances – The Petroleum Exclusion		AUG 21, 2014
1088. PCB Concentration Assumptions for Use vs. PCB Disposal	ENCORE	AUG 28, 2014
1089. Universal Waste and Basis for the One Year Accumulation Time Limit		SEP 4, 2014
1090. Product Spills and Waste Determinations	ENCORE	SEP 11, 2014
1091. PCB Concentrations and 10,000 PPM		SEP 18, 2014
1092. PCB Concentrations and 1,000 PPM		SEP 25, 2014
1093. Universal Waste Alkaline Batteries and Self-Transportation		OCT 2, 2014

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TWO MINUTE TRAINING

TO: CH2M HILL PLATEAU REMEDIATION COMPANY

FROM: PAUL W. MARTIN, Senior Environmental Compliance Officer
CHPRC Environmental Protection, Hanford, WA

SUBJECT: UNIVERSAL WASTE ALKALINE BATTERIES AND SELF-TRANSPORTATION

DATE: OCTOBER 2, 2014

<u>CHPRC Projects</u>	<u>CH PRC - Env. Protection</u>	<u>MSA</u>	<u>Hanford Laboratories</u>	<u>Other Hanford Contractors</u>	<u>Other Hanford Contractors</u>
Richard Austin Tania Bates Ty Blackford Bob Cathel Rene Catlow Richard Clinton Larry Cole John Dent Brian Dixon Eric Erpenbeck Tom Gilmore Stuart Hildreth Mike Jennings Stephanie Johansen Dan Kimball Jeanne Kisielnicki Melvin Lakes Jim McGrogan Stuart Mortensen Dean Nester Dave Richards Phil Sheely Connie Simiele Roni Swan Michael Waters Jeff Westcott Jeff Widney	Brett Barnes Ron Brunke Bill Cox Lorna Dittmer Rick Engelmann Jim Leary Dale McKenney Rick Oldham Linda Petersen Fred Ruck Jennie Seaver Wayne Toebe Lee Tuott Daniel Turlington Dave Watson Joel Williams	Jerry Cammann Jeff Ehlis Garin Erickson Lori Fritz Panfilo Gonzales Jr. Darlene Hagel Dashia Huff Mark Kamberg Edwin Lamm Candice Marple Saul Martinez Matt Mills Anthony Nagel Jennifer Ollero Jon Perry Thomas Pysto Phillip Rogers Don Rokkan Lana Strickling Lou Upton Christina Zerby	Alan Campbell Grant McCalmant <u>DOE RL, ORP, WIPP</u> Mary Beth Burandt Cliff Clark Mike Collins Tony McKarns Ellen Mattlin Greg Sinton Scott Stubblebine	Bill Bachmann Dean Baker Scott Baker Lucinda Borneman Paul Crane Tina Crane Greta Davis Jeff DeLine Ron Del Mar John Dorian Mark Ellefson Darrin Faulk Joe Fritts Rob Gregory Gene Grohs James Hamilton Andy Hobbs Ryan Johnson Megan Lerchen Richard Lipinski Charles (Mike) Lowery Michael Madison Terri Mars Cary Martin Steve Metzger Tony Miskho Tom Moon Chuck Mulkey Judith Nielsen Mandy Pascual Kirk Peterson Jean Quigley Mark Rollison Dan Saueressig Merrie Schilperoort Joelle Stamm	Glen Triner Greg Varljen Julie Waddoups Kyle Webster Ted Wooley

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TWO MINUTE TRAINING

SUBJECT: Universal Waste Alkaline Batteries and Self-Transportation

Q: A Washington State customer has a 5-gallon bucket of alkaline batteries (1.5 volts up to 9 volts; state regulated solid corrosive [WSC2] dangerous waste) that has been managed as universal waste for almost one year. As opposed to hiring a transporter to take one bucket of batteries to the recycler, the customer would like to just deliver the universal waste alkaline batteries to the recycler via a company or personal vehicle. Is the customer allowed to self-transport universal waste alkaline batteries to the recycler?

A: Per WAC 173-303-573(25)(b) [40 CFR 273.38(b)], if a large quantity handler of universal waste self-transport universal waste off site, the handler becomes a universal waste transporter and must comply with the universal waste transporter requirements at WAC 173-303-573(28) – (34) [40 CFR 273.50 - .56]. For the customer, this basically means the self-transportation must comply with the Department of Transportation (DOT) regulations as applicable.

A review of DOT 49 CFR 172.101, Hazardous Materials Table (HMT), indicates that the most appropriate shipping description for alkaline batteries is “Batteries, Dry, Sealed, N.O.S.”. Then according to the HMT special provision “134” at 40 CFR 172.102(c)(1), subparagraph (d), “Used or spent battery exception” it states:

“Used or spent dry batteries of both non-rechargeable and rechargeable designs, with a marked rating up to 9-volt that are combined in the same package and transported by highway or rail for recycling, reconditioning, or disposal are not subject to this special provision or any other requirement of the HMR [DOT 49 CFR Hazardous Material Regulations].

Since the customer’s universal waste alkaline batteries are not subject to DOT, self-transportation to the recycler is relatively easy, i.e., don’t store the universal waste batteries at a transfer facility for more than 10 days; immediately contain all releases of universal wastes; and deliver the universal waste to a universal waste handler, destination facility or foreign destination. If the universal waste batteries had been subject to DOT, e.g., alkaline batteries greater than 9 volts or lithium ion batteries, then a plethora of DOT regulations would apply that would most likely make self-transportation less appealing.

SUMMARY:

- A universal waste handler may self-transport universal waste to an approved destination.
- A universal waste self-transporter is subject to applicable DOT requirements.
- Universal waste alkaline batteries rated at ≤9 volts are not subject to DOT and self-transport is easy.

Excerpts from WAC 173-303-573 and 49 CFR 172.101 and 49 CFR 172.102 are attached to the e-mail. If you have any questions, please contact me at “Paul_W_Martin@rl.gov” or at (509) 376-6620.

FROM: Paul W. Martin

DATE: 10/02/14

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TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: Universal Waste Batteries and Self-Transportation

WAC 173-303-573 Standards for universal waste management.

(25) Off-site shipments.

- (b) If a large quantity handler of universal waste self-transport universal waste off site, the handler becomes a universal waste transporter for those self-transportation activities and must comply with the transporter requirements of subsections (28) through (34) of this section while transporting the universal waste.

(28) Applicability -- Universal waste transporters.

Subsections (28) through (34) of this section apply to universal waste transporters (as defined in WAC 173-303-040).

(29) Prohibitions.

A universal waste transporter is:

- (a) Prohibited from disposing of universal waste; and
- (b) Prohibited from diluting or treating universal waste, except by responding to releases as provided in subsection (32) of this section.

(30) Waste management.

- (a) A universal waste transporter must comply with all applicable U.S. Department of Transportation regulations in 49 C.F.R. Part 171 through 180 for transport of any universal waste that meets the definition of hazardous material in 49 C.F.R. 171.8. For purposes of the Department of Transportation regulations, a material is considered a dangerous waste if it is subject to the Hazardous Waste Manifest Requirements of the U.S. Environmental Protection Agency specified in WAC 173-303-180. Because universal waste does not require a dangerous waste manifest, it is not considered hazardous waste under the Department of Transportation regulations.
- (b) Some universal waste materials are regulated by the Department of Transportation as hazardous materials because they meet the criteria for one or more hazard classes specified in 49 C.F.R. 173.2. As universal waste shipments do not require a manifest under WAC 173-303-180, they may not be described by the DOT proper shipping name "hazardous waste, (I) or (S), n.o.s.," nor may the hazardous material's proper shipping name be modified by adding the word "waste."

TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: Universal Waste Batteries and Self-Transportation

(31) Storage time limits.

- (a) A universal waste transporter may only store the universal waste at a universal waste transfer facility for ten days or less.
- (b) If a universal waste transporter stores universal waste for more than ten days, the transporter becomes a universal waste handler and must comply with the applicable requirements for small or large quantity handlers (subsections (6) through (27) of this section) while storing the universal waste.

(32) Response to releases.

- (a) A universal waste transporter must immediately contain all releases of universal wastes and other residues from universal wastes.
- (b) A universal waste transporter must determine whether any material resulting from the release is dangerous waste, and if so, it is subject to all applicable requirements of this chapter. If the waste is determined to be a dangerous waste, the transporter is subject to WAC 173-303-145 and 173-303-170 through 173-303-230.

(33) Off-site shipments.

- (a) A universal waste transporter is prohibited from transporting the universal waste to a place other than a universal waste handler, a destination facility, or a foreign destination.
- (b) If the universal waste being shipped off site meets the Department of Transportation's definition of hazardous materials under 49 C.F.R. 171.8, the shipment must be properly described on a shipping paper in accordance with the applicable Department of Transportation regulations under 49 C.F.R. Part 172.

(34) Exports.

A universal waste transporter transporting a shipment of universal waste to a foreign destination other than to those OECD countries specified in 40 C.F.R. 262.58 (a)(1) (in which case the handler is subject to the requirements of 40 C.F.R. part 262, subpart H which is incorporated by reference at WAC 173-303-230) may not accept a shipment if the transporter knows the shipment does not conform to the EPA Acknowledgment of Consent. In addition the transporter must ensure that:

- (a) A copy of the EPA Acknowledgment of Consent accompanies the shipment; and
- (b) The shipment is delivered to the facility designated by the person initiating the shipment.

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TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: Universal Waste Batteries and Self-Transportation

49 CFR §172.101 Hazardous Materials Table (*Excerpt*)

S y m b o l s	Hazardous materials descriptions and proper shipping names	Hazard class or Division	ID Numbers	PG	Label Codes	Special provisions (§172.102)	(8)	
							Packaging (§173.***)	
							Exceptions	Non- bulk
1	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)
	Batteries, dry, sealed, n.o.s.					130		

49 CFR 172.102(c) Tables of special provisions.

(1) Numeric Provisions

130 “Batteries, dry, sealed, n.o.s.,” commonly referred to as dry batteries, are hermetically sealed and generally utilize metals (other than lead) and/or carbon as electrodes. These batteries are typically used for portable power applications. The rechargeable (and some non-rechargeable) types have gelled alkaline electrolytes (rather than acidic) making it difficult for them to generate hydrogen or oxygen when overcharged and therefore, differentiating them from non-spillable batteries. Dry batteries specifically covered by another entry in the §172.101 Table must be transported in accordance with the requirements applicable to that entry. For example, nickel-metal hydride batteries transported by vessel in certain quantities are covered by another entry (*see* Batteries, nickel-metal hydride, UN3496). Dry batteries not specifically covered by another entry in the §172.101 Table are covered by this entry (*i.e.*, Batteries, dry, sealed, n.o.s.) and are not subject to requirements of this subchapter except for the following:

(d) *Used or spent battery exception.* Used or spent dry batteries of both non-rechargeable and rechargeable designs, with a marked rating up to 9-volt that are combined in the same package and transported by highway or rail for recycling, reconditioning, or disposal are not subject to this special provision or any other requirement of the HMR [DOT 49 CFR Hazardous Material Regulations]. Note that batteries utilizing different chemistries (*i.e.*, those battery chemistries specifically covered by another entry in the §172.101 Table) as well as dry batteries with a marked rating greater than 9-volt may not be combined with used or spent batteries in the same package. Note also that this exception does not apply to batteries that have been reconditioned for reuse.

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